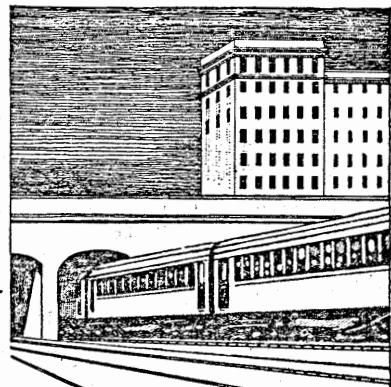
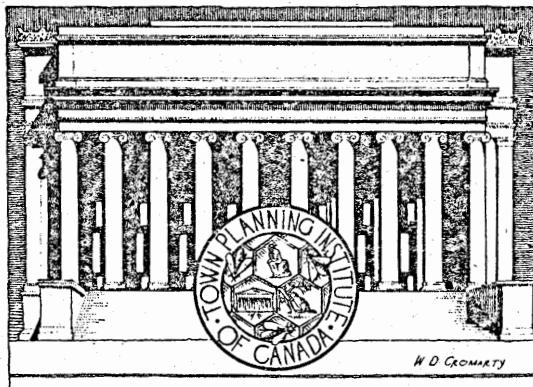
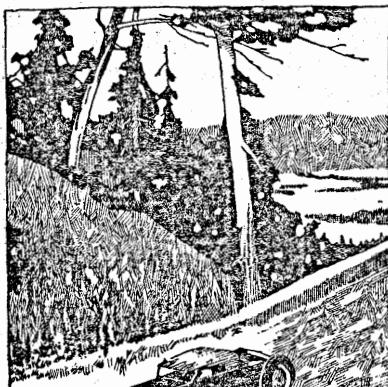


# THE JOURNAL



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*Town planning may be defined as the scientific and orderly disposition of land and buildings in use and development with a view to obviating congestion and securing economic and social efficiency, health and well-being in urban and rural communities*

### KITCHENER PLAN BECOMES LAW

COMPREHENSIVE TOWN PLAN FOR THE CITY OF KITCHENER, DRAWN UP BY HORACE L. SEYMOUR,  
VICE - PRESIDENT OF THE TOWN PLANNING INSTITUTE OF CANADA, IN CONSULTATION  
WITH THOMAS ADAMS, GENERAL DIRECTOR OF PLANS AND SURVEYS FOR THE NEW  
YORK REGIONAL PLAN, IS PASSED BY THE KITCHENER CITY COUNCIL AND APPROVED  
BY THE ONTARIO RAILWAY AND MUNICIPAL BOARD

Canadian town planners will take courage in the midst of much cause for discouragement from the fact that at last a Canadian city of the size and importance of Kitchener has passed into law a comprehensive town plan for the regulation of its future growth and development on the scientific lines advocated by town planning science. Congratulations may be offered to the city council of Kitchener and to Mr. Horace L. Seymour, who, by much persuasive patience and industry has won the confidence and co-operation of the civic officials of Kitchener and brought to a successful conclusion this important social reform. "Many things must be carefully prepared", said Horace Bushnell, during his advocacy of the first city public park in the United States, "as carefully watched and persistently pushed by the man who will get any city public into and through a great public improvement. Weary and worried and hindered he must never sleep, never be beaten, never desist and if, by a whole five years of toil he gets his work on far enough to become an interest in itself and take care of itself, he does well."

It is exceedingly difficult to persuade men who are obsessed by a small private interest that the freedom of a whole community to live its own life in clean air and sunlight and to have room to live

and play in pleasant environment is more important than the freedom of any individual to do as he likes with a piece of land which he considers his own; or that vast problems of the improvement of the race, the happiness and well-being of women and children and the efficiency and economy of industry and commerce may be involved in proposals for a more orderly and scientific development of towns and cities.

The argument that is likely to prevail for some time in Canada is that other people, in other countries, are awake to these considerations and, therefore, it will be necessary to repeat that more than 300 cities in the United States are now living under town planning law, and that the number is constantly increasing, and that business men who once opposed all regulation of the use of land and buildings are taking the lead in this movement because they have seen that it pays, not only in conservation of life, but also in the saving of money; that Great Britain has made town planning obligatory upon all towns of more than 20,000 population and that the movement is spreading all over the world—to India, South Africa, Japan, South America, all over Europe, and is now shaping the cities of the Malay States.

A study of the Kitchener zoning by-law reveals

the fact that it has not been passed without compromise and concessions to private interests such as the bill-board industry which has insisted upon maintaining its hold in residential districts and has been apparently powerful enough to hold up the by-law until it got its own way. The time must come in Canada, as in other countries, when home-makers will be united enough to demand that since bill-boards destroy the amenities and lessen the value of residential property that they must be banished from the home districts. It is not impossible that Kitchener may take the opportunity at some future date to sustain their own judgment in

this regard. The maintenance of home values and of home amenities must ultimately be regarded as of more social importance than the freedom of any industry to do as it likes for its own profit. In a social organism absolute liberty is impossible. The very essence of law is the attempt to restrain anti-social activities in the interests of the whole community and to protect those who cannot protect themselves. The Prime Minister of Canada is credited with the statement that in any civilized community private rights should cease when they become public wrongs.

## A PLAN FOR THE CITY OF KITCHENER

By HORACE L. SEYMOUR, C.E., M.E.I.C.  
Vice-President Town Planning Institute of Canada

### Kitchener as Pioneer

The City of Kitchener occupies a unique position in the Town Planning movement in Ontario and indeed, in the Dominion of Canada. A recent survey of the town planning situation in Canada would seem to indicate that during the past year there has been most activity in the provinces of Ontario and British Columbia, and more particularly in Ontario.

The city of Kitchener has several claims to distinction in the matter of town planning. As early as 1914 a plan showing proposals for the development of the city was prepared. It seemed to the citizens, however, too big for the municipality and therefore became something of a handicap to town planning development rather than an advantage. Kitchener can now claim the completion of a plan which has been accepted by the City Council and which is now being used as a guide in municipal development. It includes, of course, a zoning by-law, approved by Ontario Railway Municipal Board and which will be the first comprehensive zoning by-law to be put in operation in this part of Canada.

### Planning the Township

In another respect the City of Kitchener can claim to be a leader in the Canadian town planning movement. The Province of Ontario has never passed a truly comprehensive Town Planning Act. While town planning involves essentially the laying out of land in connection with the erection or the intended erection of buildings, the legislation in Ontario is such that the two ideas,—the laying out of land and the erection of buildings, are divorced rather than brought together. While the City of Kitchener has jurisdiction for the laying out of new sub-divisions within its urban zone, that is, 5 miles from the city limits, yet it has no control over building development outside its own boundaries. The City of Kitchener can claim to have largely corrected this difficulty and will attain by co-operation what it cannot do through lack of legislation. The adjoining town of Waterloo was persuaded to

plan at the same time and now the whole of the township of Waterloo, in which the City of Kitchener and the Town of Waterloo are centred, is also being planned.

It is expected that the zones established in the urban municipalities will be protected by zones in the township and that adequate building restrictions will be imposed. It is felt that too much stress cannot be placed on this phase of township planning. In the case of the township of Waterloo, besides the essential matters of zoning and building bylaws, there are being considered the preparation of maps adequate for all purposes of township development; the improvement of the highway system, having particular regard for provisions for pedestrians; the widening of the narrow existing roads and particularly the establishment of building lines which will keep farm building sufficiently back from the roads to allow for inexpensive future widening.

### School Consolidation

School consolidation will be expedited by a plan showing the school sections, the nature of the roads and the topography of the various areas and the assessed value of lands in each school section. In this connection the following extract from the Report of the Director of Rural School Organization of the Province of Ontario for the year 1922 is of interest:—

There has been no comprehensive scheme of consolidation worked out in any county or inspectorate. The schools that have been consolidated have been selected usually without reference to the chances of adjacent schools for entry into a favourable consolidation later, and sometimes without due regard to the possibility of adequate financial support in the future. This more or less haphazard method of selection should give place to a more systematic plan of procedure. A careful survey of each county should be made in order to determine the most favourable and economical grouping of schools.





for consolidation. The grouping would, of course, be tentative and subject to later readjustments. It should have regard to such factors as the physical and topographical conditions of the various localities, the total assessment of the sections proposed for each group, the possibility of establishing economical conveyance routes and the number of children to be educated. When a satisfactory scheme has been determined, maps should be prepared showing the proposed grouping of the sections. To give publicity to the proposals, a campaign should then be launched, the main purpose of which would be to get the people to think in terms of county-wide scheme of consolidation. It would be understood, of course, that the proposals should not necessarily be regarded as a plan for immediate adoption, but rather as a statement of future policy, the consolidations being instituted when the time therefor should appear ripe. Many groups might, in fact, never be actually consolidated. Only through the adoption of some such systematic and comprehensive method of procedure as this can consolidation achieve its highest possibilities. Other matters in the planning of the township of Waterloo that are being considered are reforestation and flood prevention.

#### Public Support

In the recent work for the planning of Kitchener one of the principal endeavours was to interest the public and to get, if possible, their suggestions. In this way they became a party to the plan and their co-operation was gained. It is felt that the planning of Kitchener was carried out along democratic rather than autocratic lines. Modern experience is teaching us that this is the desirable way. There will be objections to this statement and it will be said that Kitchener is missing some of the larger opportunities in planning for her development, yet it is maintained that Kitchener has now a sound working basis on which to start and on which to plan. Proposals for park and highway development are gradually being carried out in Kitchener and at almost every council meeting some part of the plan is being made effective. The experience in Kitchener—and this has been found true in other cities—shows that a too pretentious plan may be entirely ignored. Planning involves essentially the education of the public and this may not be accomplished sometimes as rapidly as one would wish. The millions that are now being spent in Chicago city planning work could not have been spent without the previous work of years of propaganda.

The City of Kitchener has also exercised leadership by calling together, on invitation of Mayor L. O. Breithaupt and Chairman A. R. Kaufman of the City Planning Commission, the representatives of Councils and other interested organizations in South Western Ontario from Toronto to Windsor. Two conferences were held this year. The first undoubtedly aided the passing of legislation permitting the preparation of comprehensive zoning bylaws. At

the recent hearing by the Ontario Railway and Municipal Board of the Kitchener Zoning Bylaw as passed by the Council, another conference was held. The hearing became to some extent a town planning conference and was subsequently so continued. The desirability and practicability of further town planning legislation was discussed. Another conference shortly to be held in the City of London was suggested to give final expression of opinion for action by the next legislature.

#### Zoning

The map which accompanies this article illustrates park and highway proposals and also shows the zones in which the use, height, set back and area of occupancy of buildings are to be determined. The colour scheme is that recommended by Mr. Noulan Cauchon, President of the Town Planning Institute of Canada. \*

The zoning bylaws passed by Council and finally approved by the Ontario Railway and Municipal Board on Dec. 31, 1924, are considerably altered from the original draft. In particular, sections or sub-sections devoted to height of rooms, window area, open space in front of windows; regulations in regard to dwellings in basements, etc., were eliminated at the request of the Railway Board, who suggested these might more properly be included under a building bylaw. For similar reasons regulations in regard to street grades, installation of local improvements and sanitary regulations were also omitted.

In Kitchener, on account of varying street widths, numerous and various building lines had been previously established. These have been maintained and amplified under the section in the Zoning Bylaw relating to building lines.

The treatment of store corners it is believed, is original. Local and other conditions have made their impress on the Kitchener Zoning Bylaw, making it a human if not entirely the scientific and complete document its authors might have hoped at the outset.

In the town planning movement everywhere there are certain names that stand out. In Kitchener Mr. W. H. Breithaupt, C.E., was for years the enthusiast who kept the matter of town planning before the public. In the past few years Mr. A. R. Kaufman, Chairman of the City Planning Commission has never hesitated to give of his time or means in making possible his dreams of a plan for Kitchener. Without his assistance the town of Waterloo or the Township of Waterloo would not have engaged in the work of planning—at what it is considered from the standpoint of Kitchener—such an opportune time.

An enthusiastic commission is not sufficient and the results attained have only been possible

\*The only divergence from Mr. Cauchon's colour scheme is in respect of commercial areas. Business property, stores and offices are shown in solid black instead of green and the colour for apartment houses is not used since there are no apartment house Districts in the Kitchener Scheme.—(Ed.)

with the hearty co-operation of the Kitchener City Council under Mayor L. O. Breithaupt, Assessment Commissioner Martin Heunergard, Building Inspector Zimmerman, City Engineer Stanley Shupe and his staff.

Mr. Thomas Adams was consultant for the plan of Kitchener illustrated herewith, the writer being associate consultant. Mr. J. Burn Helme was employed by the city for several months and latterly assisted the writer.

## ZONING BYLAW OF THE CITY OF KITCHENER

The Council of the Corporation of the Municipality of the City of Kitchener enacts as follows:—

### DISTRICT OR ZONES

#### Sec. (1)

1. For the purpose of this bylaw the Municipality is hereby divided into five classes of districts, namely:—

- (A) Heavy Industrial Districts
- (B) Light Industrial Districts
- (C) Business Districts
- (D) Residential Districts
- (E) Detached Private Residential Districts

as hereinafter described and as shown on the map which accompanies this bylaw and which is hereby declared to form a part thereof. Wherever in this bylaw the term "Residential District" occurs, it shall be deemed to include both Residential District and Detached Private Residential District unless the context indicates otherwise.

2. The districts designated on the said map are hereby established on the coming into force of this bylaw.

3. Except as provided in subsection 4 of this section, no building or premises shall be erected or used for any purpose other than a purpose permitted in the use district in which such building or premises is located.

4. The provisions of this bylaw shall not apply to any land or building which on the day this bylaw was passed was used or erected for any purpose prohibited by this bylaw so long as it continues to be used for that purpose; nor shall the provisions of this bylaw apply to any building the plans for which have been approved prior to the date of the passing of this bylaw so long as when erected it is used for the purpose for which it was erected.

Provided that to any building devoted to a non-conforming use, on the day this bylaw was passed, and subject to the other provisions of this bylaw, additions may be made and may be permitted to be devoted to such non-conforming use.

5. No building, any part of which is used as a dwelling, shall, except for the first storey, cover more than 75% of the area of the lot.

6. Excepting in a block where dwellings have already been erected and where there are public services (water, sewer, etc.) no dwelling shall be erected on any alley or any street of less width than forty feet but where dwellings have been erected on one side only in such block any dwellings on the opposite side shall be at a distance of not less than forty feet from the line of such existing dwellings.

7. Notwithstanding anything contained in this bylaw, municipal buildings and buildings for electric substations and telephone exchanges and their accessory buildings are permitted in every district subject only to the restrictions as to the building lines herein established and as to the distance from each side line as prescribed for the districts in which such buildings may be located, and also provided that no part of any such buildings shall be erected to a height above the curb level in excess of three times the distance that it sets back from the centre line of any street bounding the block in which the building is located, nor shall the distance between the curb level at the centre of the front of the building to the top of the highest point of the roof exceed 80 feet, but these provisions shall not apply to the erection of towers, chimneys or flues.

### A.—HEAVY INDUSTRIAL DISTRICTS

#### Sec. (2)

1. The limits of the Heavy Industrial Districts are hereby declared to be as follows:—

*(Local descriptions are here omitted)*

2. In a Heavy Industrial District, a building may be erected and used without restrictions as to the nature of its use, provided the same is not prohibited by any other law, regulation or ordinance, and also provided that no portion of a building, any part of which is used as a factory or public garage, shall be occupied as a dwelling, apartment or lodging house.

3. No building shall be erected in a Heavy Industrial District to a height in excess of three times the least distance at any part of the building at any level from the centre line of any street bounding the block in which the building is located nor shall the distance between the curb level at the centre of the front of the building to the top of the highest point of the roof exceed 80 feet, but this provision shall not apply to the erection of towers, chimneys or flues.

4. In a Heavy Industrial District, no building or group of buildings shall cover more than 90% of the area of the lot, but except as otherwise herein provided the first storey of a building, if not exceeding 20 feet in height, may occupy the whole of any lot.

5. Except on the streets on which building lines are herein established, no part of any building shall be distant less than 33 feet at any level from the centre line of any street on which it faces.

**E—LIGHT INDUSTRIAL DISTRICTS.****Sec. (3)**

1. The limits of the Light Industrial Districts are hereby declared to be as follows:—

(*Local descriptions omitted*)

2. In a Light Industrial District, a building may be erected and used without restriction as to the nature of its use, provided the same is not prohibited by any other law, regulation or ordinance, and that no portion of a building, any part of which is used as a factory or public garage, shall be occupied as a dwelling, apartment or lodging house; provided also that the following specified trades, industries or uses shall be prohibited:—

(a) Blood boiling, bone boiling, refining coal oil, extracting oil from fish, storing hides, soap boiling, tallow melting, tripe boiling, slaughtering animals, tanning hides or skins, manufacturing glue, manufacturing gas, distillation of coal, bones or wood, incineration or reduction of garbage, offal, dead animals or refuse, fertilizers from dead animals, from human or animal waste, or any other trade, business or manufacture which is or may become offensive.

(b) The following specified purposes:—

Acetylene gas manufacture; ammonia, chlorine or bleach powder manufacture; asphalt manufacturing or refining; blast furnace; boiler works; brick, tile or terra cotta manufacture; celluloid manufacture or treatment; creosote treatment or manufacture; coke ovens; dyestuff manufacture; gunpowder manufacture or storage; lamp black manufacture; lime, cement or plaster of paris manufacture; potash refining; rolling mill; smelting of iron; stockyards; storage or baling of scraps, paper, rags or junk; tar distillation or manufacture; tar roofing or tar waterproofing manufacture; wool pulling and scouring; yeast plant; those uses which constitute a nuisance or which may be noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.

3. No building shall be erected in a Light Industrial District to a height in excess of three times the least distance at any part of the building at any level from the centre line of any street bounding the block in which the building is located, nor shall the distance between the curb level at the centre of the front of the building to the top of the highest point of the roof exceed 80 feet, but this provision shall not apply to the erection of towers, chimneys or flues.

4. In a Light Industrial District, no building or group of buildings shall cover more than 75% of the area of the lot, provided however that on a corner lot 90% of the area of the lot may be covered and except as otherwise herein provided that the first storey of a building if not exceeding 20 feet in height may occupy the whole of any lot. Where a number of separate buildings are erected unless they be of fire resistive construction there shall be an open space ten feet in width between such buildings.

5. Except on the streets on which building lines are herein established, no part of any building shall be distant less than 33 feet at any level from the centre line of any street on which it faces.

**C—BUSINESS DISTRICTS****Sec. (4)**

1. The limits of the Business Districts are hereby declared to be as follows:—

(*Local descriptions omitted*)

2. In a Business District, no building shall be erected which is intended or designed to be used for other than one or more of the following specified purposes:—

(a) Any use specified in Sections 5 and 6 of this bylaw as permitted in Residential Districts.

(b) Any one or more of the following specified uses:—

Any retail store or stand where goods are sold or services rendered only to the local trade, and where nothing is fabricated, manufactured, converted or altered except for such local retail trade.

Amusement parks, dance halls, skating rinks, concert halls, theatres, motion picture houses, billiard parlors.

Banks and fiduciary institutions.

Billboards or advertising signs; provided that no billboard shall be erected closer to the street than the building line herein established for said street, and no billboard shall be erected at a less distance than 12 feet from the intersection of any street lines or than 50 feet from the limits of any railway private right of way over which cars are run. These restrictions shall apply in all districts where billboards are permitted.

Hotels and lodging houses.

Offices.

Penal or correctional institutions.

Poultry killing, dressing, or live storage, only for sales exclusively at retail on the premises.

Restaurants or lunch counters.

Stables for not more than one horse for each 500 square feet of lot area, exclusive of the area occupied by other buildings, and provided that all manure is kept in a covered inclosure or pit distant at least 10 feet from each lot line; otherwise, it shall be removed from the premises daily.

Storage of articles for sale in connection with any of the above uses.

Studios and art galleries.

Tenements, apartments or flats.

Wholesale salesrooms or sample rooms for articles needed in connection with any of the above uses.

And other businesses of like general character including private garages and storerooms.

(c) Any of the following specified uses, provided that not more than ten mechanics or workers are engaged, and that no mechanical power exceeding five rated horsepower is used, and that no steam pressure in excess of 15 pounds is employed, and that the major part of the products manufactured is to be sold at retail on the premises to the ultimate

consumer, or the service is performed for residents of the locality:

Bakery, pastry, candy, confectionery or ice cream shop;

Bottling of water, cider or soft drinks;

Canning, preserving or pickling of foods;

Carpentry, cabinet making, furniture or upholstery shop;

Carpet, rug or rag cleaning;

Cigar or cigarette making;

Creamery, butter or cheesemaking;

Dyeing, where not more than one dyer is employed;

Electrician's shop;

Enamelling, japanning or lacquering, only where that liquid is applied by hand brush by not more than two employees, or by dipping in tanks of not over five cubic feet capacity.

Feather, plume or artificial flower manufacturing;

Jewelry, watches, clocks or optical goods and musical, professional or scientific instrument manufacturer.

Laundry or dry-cleaning shop.

Leather goods manufacture, not including tanning.

Making or repairing of wearing apparel, knit goods, embroideries, rugs, umbrellas and canes.

Metal working shop, blacksmith, tinsmith, plumbing, gas, steam or hot water fitting shop.

Milk bottling or distributing station, employing not more than two skilled workers.

Newspaper or job printing.

Paper box or goods manufacture.

Stone or monument works, employing not more than two skilled workers.

Shoemaking and repairing.

Storage of foodstuffs, fodder, fuel or building material for local consumption only.

(d) A public garage or filling station provided that no part of the storage space or workshop shall be nearer than 25 feet to any public street, and that all entrance driveways shall have an unobstructed width of at least 15 feet, and that not more than five rated horsepower is used on the premises. There shall be no opening in the side or rear walls or roof of such a garage within 15 feet of any side or rear lot line.

No automobile commercial repair work except emergency work shall be carried on out of doors. Automobiles may be parked temporarily on any part of a lot.

(e) No portion of a building any part of which is used as a factory or public garage shall be occupied as a dwelling, apartment or lodging house.

(f) Provided however that in Business Districts designated "R" (store corners in Residential areas) on the map which accompanies this bylaw, no building shall be erected which does not in all respects conform to the provisions of section 5 relating to Residential Districts, except that there may be erected a building intended or designated to be used in whole or in part as a retail store where goods are sold to the local trade only, and where

nothing is fabricated, manufactured, converted or altered on the premises.

3. No internal combustion engine shall be used unless vibration be eliminated and it be equipped and operated with an effective muffler or silencer so as to eliminate objectionable or unnecessary noise.

4. No building or premises shall be used for any trade, industry or purpose that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise, or that is dangerous to public health or safety.

5. No part of any building shall be erected in a Business District to a height above the curb level in excess of three times the distance that it sets back from the centre line of any street bounding the block in which the building is located, nor shall the distance between the curb level at the centre of the front of the building to the top of the highest point of the roof exceed 80 feet, but this provision shall not apply to the erection of church spires, belfries, chimneys or flues.

6. In a Business District, except as otherwise herein provided, a building may occupy the whole of the area of the lot for such of the storeys beginning with the lowest as are used for business purposes only; but no building or storey used for other than business purposes shall at any level cover more than 75% of the area of the lot except that on a corner lot 90% of the area of the lot may be covered.

7. Except on the streets on which building lines are herein established, no part of any building shall be distant less than 33 feet at any level from the centre line of any street on which it faces.

## D—RESIDENTIAL DISTRICTS

### Sec. (5)

1. The limits of the Residential Districts are hereby declared to be as follows:—

All those portions of the City of Kitchener remaining undescribed herein.

2. In a residential District no building shall be erected other than a building with its usual accessories arranged, intended or designed exclusively for one or more of the following specified uses:—

Dwelling houses which shall include dwellings for one or more families and boarding houses.

Clubs, excepting clubs the chief activity of which is a service customarily carried on as a business.

Churches.

Schools, libraries or public museums.

Philanthropic or eleemosynary uses or institutions, other than correctional institutions.

Hospitals and sanitoriums.

Farming, truck gardening, nurseries or greenhouses.

Billboards, provided they are not erected nearer than 50 feet to any residence and subject however to any other bylaw or ordinance of the City of Kitchener and to the provisions of Section 4, subsection 2, clause (b) relating to billboards and advertising signs.

Provided that no portion of a building, any part of which is used as a factory or public garage, shall be occupied as a dwelling, apartment or lodging house.

3. The term "accessories" shall not include a business, nor any use which is objectionable or detrimental to the well-being or harmonious character of the neighborhood.

4. A private garage shall be deemed an accessory use.

5. "Single family dwellings" designed for one family alone and having only one kitchen, may be erected singly, in pairs, in groups or one above the other.

6. No building shall be erected in a Residential District to a greater height than three storeys, exclusive of basement.

7. No building shall cover more than 50% of the area of the lot nor where the dimensions of the lot permit shall it be built within 4 feet of either side line or 25 feet of the rear line, provided that a garage or other outbuilding may be built within 18 inches of the rear line and of the side line if not erected nearer to the street line than 60 feet; or by arrangement, two adjoining owners may erect such buildings with a common wall. The area of all outbuildings must not exceed 10% of the area of the lot.

## E — DETACHED PRIVATE RESIDENTIAL DISTRICTS

### Sec. (6)

1. The limits of the Detached Private Residential Districts are hereby declared to be as follows:—

*(Local descriptions omitted)*

2. In a Detached Private Residential District, no building with its usual accessories shall be erected to be used for other than the following specified purposes:—

A detached dwelling for one family or for one housekeeping unit only, which shall not serve for rooming or boarding more than two persons outside of the family and its servants, provided that no portion of a building, any part of which is used as a factory or public garage, shall be occupied as a dwelling apartment or lodging house.

Nothing in this subsection shall prevent the occupant of a detached dwelling (if a professional person) from occupying one or more rooms as an office, providing there is no display of goods or advertising and no conspicuous sign.

3. The term "accessories" shall not include a business, nor any billboard or advertising sign, nor any use which is objectionable or detrimental to the well-being or harmonious character of the neighborhood.

4. A private garage shall be deemed an accessory use.

5. No building shall be erected in a Detached Private Residential District to a greater height than three storeys, exclusive of basement.

6. No building shall cover more than 30% of

the area of the lot nor where the dimensions of the lot permit shall it be built within 8 feet of either side line or within 30 feet of the rear line, provided that a garage or other outbuilding may be built within 18 inches of the rear line and of the side line if not erected nearer to the street line than 80 feet; or by arrangement, two adjoining owners may erect such building with a common wall. The area of all outbuildings must not exceed 10% of the area of the lot.

## BUILDING LINES

### Sec. (7)

1. Building lines as set forth in subsection 5 of this section are hereby established; except as therein established, the building line shall be established at 33 feet from the centre line of the street in a Heavy Industrial, Light Industrial or Business District, at 43 feet from the centre line of the street in a Residential District, and 53 feet from the centre line of the street in a Detached Private Residential District.

2. Between a building line and the street no building or portion of a building extending above the established grade may be erected.

Provided, however, that in a Residential District a one-storey unclosed veranda or porch may be erected between the building line and the street line, but not more in any case than 10 feet in front of such building line.

3. Where at the time of the passage of this by-law, there have been erected in any block a number of buildings which do not conform to the building lines herein established, the building line may be altered in whole or in part in any block to conform to the line on which the majority of these existing buildings stand.

4. Where a building line is required along both the front and side line of a corner lot, and the building is intended to face the front of the lot, the building line along such side line for a distance in no case exceeding 150 feet may be at a less distance from the street line than as herein or hereafter established, but in a Residential District, not less than 5 feet from such street line, which said 5 feet shall be clear of all projections except roof overhang.

5. On a corner lot between the building line and the street line, and within the triangular space included between the street lines for a distance of 25 feet from their point of intersection, no fence or other structure more than 3 feet in height above the plane of the established grade shall be erected, and no shrubs or foliage shall be maintained that materially obstruct the view of a driver of a vehicle approaching the intersection.

### 6. Building Lines

Street	Distance from centre line of street in front of which no building is to be erected except as provided in section 8, subsection 2.	On both sides of the whole street except as noted.
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*(A few of the descriptions are here given to show the character of the legislation)*

Adelaide	50'	
Ahrens	35'	Blucher to Wilhelm, West side
	60' more or less	
	43'	Blucher to Wilhelm, East side, Shanley Extension to Louisa, West side.
	43'	In detached Residential Districts where present width of the street is 40'.
	67'	South side from Young to 485' more or less East of Young, (incorporating existing building line).
	63'	North side from Young to 485' more or less East of Young, (incorporating existing building line).
	53'	In Residential Districts where present width of street is 66'.
Albert	40'	In residential districts where present width of street is 40'.
	50'	Russell to Lorne.
Alberta	40'	In Residential and Business Districts.
Alma	40'	North side) Incorporating
	45'	South Side) existing building lines.

#### PENALTIES FOR INFRACTION

##### Sec. (8)

1. Any person convicted of a breach of any of the provisions of this bylaw shall forfeit and pay at the discretion of the convicting magistrate, a

penalty not exceeding (exclusive of costs) the sum of Fifty Dollars for each offence, and in default of payment of the said penalty and costs forthwith, the said penalty and costs, or costs only, may be levied by distress and sale of the goods and chattles of the offender, and in case of there being no distress found, out of which such penalty may be levied, the convicting magistrate may commit the offender to the common gaol of the County of Waterloo for any period not exceeding three calendar months, unless the said penalty and costs (if any) including the costs of the said distress and of the committal and conveyance of the offender to the said gaol, are sooner paid. The imposition of one penalty for any violation of this ordinance shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified each ten days that prohibited conditions are maintained shall constitute a separate offence.

2. This bylaw may be repealed and amended only with the approval of the Ontario Railway and Municipal Board.

3. This bylaw shall come into force on the date of its approval by the Ontario Railway and Municipal Board.

Passed in the Council Chamber, at the City of Kitchener this 20th day of October A.D. 1924.

L. O. BREITHAUPT,  
Mayor.

Read a first and second time.

Oct. 20, 1924.

Read a third time and finally passed.

Oct. 20, 1924.

C. G. LIPS, Clerk.

## Good Work of Vancouver Branch Toward Town Planning Legislation in British Columbia

#### REPORT OF PROGRESS FROM THE SECRETARY—MEMORIAL TO THE CITY COUNCIL—DRAFT TOWN PLANNING BILL IN CO-OPERATION WITH THE CITY COUNCIL, WHICH IS TO BE PRESENTED TO THE PROVISIONAL LEGISLATIVE ASSEMBLY

The Vancouver Branch of the Institute are making a strong effort to get a town planning act on the statute book of the province of British Columbia and, judging from their present activities, will not be content to leave the matter there. They have won the sympathy of the city council of Vancouver, who appear to realize that the time has come for the preservation of their beautiful territory from the ravages of jumble building. The Branch documents have been drawn up with much skill and persuasiveness and cannot but be instructive to those members in other centres who are still engaged in the difficult task of convincing civic and provincial legislators that town planning has passed the academic stage and has now become practical politics all over the civilized world. The argument that legislation is of little value is heard

rather frequently in Canadian town planning circles but the logic of the argument does not seem very strong. It is founded upon the fact that certain provinces have passed town planning acts without appointing an executive to put them into operation and, therefore, nothing has been done in these provinces. But the experience of Ontario planners, who have had to meet endless and exasperating difficulties because there is no up-to-date Ontario town planning act, is amply sufficient to demonstrate the advantages of a provincial act properly and efficiently administered. Cities like Ottawa, Hamilton, London, Windsor and Kitchener have been struggling for years against the imperfections of the Ontario act and most of them have been beaten in the struggle. Ottawa would have had a comprehensive town plan in operation to-day if

there had been a satisfactory provincial act to give the city the powers that are indispensable for the administration of a modern town planning act. Vancouver itself, as the secretary of the Vancouver branch points out, is up against the difficulties that piece-meal legislation, such as the attempt to create special residential areas without a comprehensive zoning law, always bring.

The friends of town planning will wish the best success to the Vancouver branch and will hope, if

they succeed in getting an act on the statute book they will not be content until an efficient executive of trained men is appointed to administer the act. The Institute is performing the function for which it was founded in stimulating and encouraging Canadian engineers, architects, surveyors and landscape men to qualify themselves for the positions that are bound to appear when the legislators are properly convinced that Canada cannot remain always in the far background of the town planning movement.

## REPORT FROM SECRETARY OF VANCOUVER BRANCH

We have quite an enthusiastic Branch of the Institute in Vancouver, about thirty members of all classifications being enrolled. Quite naturally the subject of Town Planning Legislation for British Columbia is the one which is receiving the most consideration on the part of the Branch at the present time. Last June the Branch presented a memorial to the Vancouver City Council requesting that the City authorities take the lead in the matter and offered our assistance to this end. As a result the City Council asked the Branch's help in drafting an appropriate Act and appointed a sub-committee from the Council together with the City Engineer and the City Solicitor to collaborate.

The Branch has recently completed the preparation of a draft Town Planning Bill which has met with the approval of the Vancouver City Council sub-committee and of the Council itself. Owing to the fact that the draft has been prepared by the Vancouver Branch, and as the Bill applies to all British Columbia municipalities, the City Council has requested us to present the Bill to the Legislature for adoption as a Government measure. The Council, of course, and indeed a great many other municipalities, are giving every assistance. The draft Act is now in the hands of the Premier and as we believe the draft, as prepared, to be the best yet fashioned, we have every hope that it will be placed upon the Statutes before the end of the Session.

The question of Town Planning and the need of general Town Planning legislation is more and more being forcibly brought to the attention of the public almost daily, especially in Vancouver. This City recently passed a by-law allowing for the creation of residential areas. *As a result the Council have had to cope with a most difficult situation, as it finds its powers are not broad enough and a great deal of its time is taken up seeking to find solutions for vexing individual cases which are constantly before it.* As the situation stands at present a marked slackening of building activities is shown and a great number of building projects are constantly being held up. Vancouver is not alone in facing this problem and the surrounding municipalities are giving their support to the passage of the draft Bill now in the hands of the Government.

The most outstanding Town Planning project in British Columbia at present is the development of the

University lands in Point Grey, a municipality adjoining Vancouver, as a high-class residential area, and the first municipality in Canada to pass a zoning by-law. This project being undertaken by the B. C. Government, the proceeds from the sale of the lots will be set aside for University purposes. The Government own about 3200 acres surrounding the University site of which over 560 acres will be set apart for the University proper. The first residential unit of 108 acres is now being developed and all the utilities, common to projects of this nature, including gas mains and underground electrical conduits, will be installed and the lots ready for the market by May, 1925. Major H. L. McPherson is the Engineer in charge and Mr. Thomas Killin, Assistant Engineer. Both of these gentlemen are members of the Town Planning Institute of Canada. Mr. E. A. Cleveland, of the Lands Department is the Consultant.

Another notable Town Planning feature is now being considered by the Municipality of Point Grey. The Municipality proposes to re-survey an area of 95 acres known as Dunbar Heights, which is already subdivided into lots on the rectangular principle. Mr. W. B. Grieg, Municipal Engineer, and a member of the Institute, has prepared several alternative schemes, careful consideration being given to the contour of the land. The grades of many streets will be reduced from as high as 12 to 18 per cent to a maximum of 5 per cent. Easy access in all directions, principally relative to the important highways carrying east and west traffic, will be the result of the consummation of this scheme. The expense is to be divided equitably throughout the area and compensation will be made where decided upon by the proper authorities. Ordinary grading will be borne by the Municipality at large but the various utilities and paving will be carried out under "local improvement". The scheme has the endorsement of the rate-payers and the Council are now seeking the power to carry it out by special legislation at the present Session of the Provincial Legislature.

During the past year several "Company Towns" have made additions to their industrial towns, the more notable ones being the Powell River Co., Ltd., at Powell River, B.C., and the Pacific Mills, Ltd., at Ocean Falls, B.C. Both of these Companies are engaged in the manufacture of pulp and paper. The

work has been carried out by their own engineers.

The Eagle Lake Spruce Mills, Ltd., have a housing project under construction at Giscome, B.C. It is expected that this town will have an ultimate population of about 500 people. The Company anticipate that their "cut" will last about ten years, after which they expect to vacate and move to another timbered area. The plans for this town were prepared by the writer.

Several other new towns, principally for industrial purposes, are known to be under consideration. Some of these should materialize by next spring.

A further evidence of the increasing interest in Town Planning by public bodies is noted in the fact that the Municipality of Burnaby, also adjoining Vancouver, recently gave a small prize for the best design of a tract of 40 acres which was owned by the Municipality. This prize was won by Messrs. Underhill & Underhill and H. S. Griffith, all mem-

bers of the Vancouver Branch of the Institute.

The Press of Vancouver has consistently supported the principles of Town Planning both by editorials and articles on specific local needs. They deserve great credit for the stand they have taken.

Several of the smaller cities and municipalities, principally in the Interior of the Province, have from time to time considered Town Planning in a more or less vague way. Some time ago the Zoning By-laws of Point Grey were published in the *Journal*. The City of Victoria has a Town Planning committee of the City Council and it is known that the Mayor and most of the Council of the City of New Westminster heartily endorse the principles of Town Planning.

J. ALEX. WALKER,  
Secretary Vancouver Branch,  
Town Planning Institute of Canada.

### MEMORIAL TO THE MAYOR AND COUNCIL OF THE CITY OF VANCOUVER FROM THE VANCOUVER BRANCH OF THE TOWN PLANNING INSTITUTE OF CANADA

In pursuance of a Resolution of the above Vancouver Branch, the undersigned were directed to lay before you a memorial upon the subject of Town Planning; and in so doing we feel that no apology is required for bringing the matter to your attention at this present moment. The Town Planning Institute of Canada is a Corporation with branches throughout all the Provinces of Canada, which has been constituted for the express purpose of promoting a knowledge of and an interest in a subject which is conceived to be of high importance to all citizens of Canada, and the above Institute has no private aids to serve but is entirely governed by reasons of public expediency and advantage.

That being the status of your Memorialists, we have reason to believe that you as a body are no less impressed with the necessity of a start being made in the direction of Town Planning, and that you are peculiarly situated in that the problems of Town Planning have already received a partial solution from yourselves or your predecessors, but many important problems remain to be solved and are being presented to your Honourable Body from time to time.

It is impossible within the scope of this Memorial to enter upon a full exposition of the principles and field of a Town Planning Act or scheme, but it may be convenient to summarize the directions in which Town Planning has evidenced itself in other centres. We will therefore devote our first section to this subject and will include all relative matters which affect the well-being of a city situate such as is Vancouver.

#### Scope of Town Planning

The ideal Town Planning scheme for a City such as Vancouver would be one which would make due and adequate provision for the many activities and needs of a large population which earns its livelihood in a seaport which is the main outlet for the

commerce of half a continent, in direct communication with two rapidly developing continents and in more indirect communication by sea with the whole world. This population is, moreover, engaged in manufacturing and in general commerce and has to supply its own local needs. It, however, has to be adequately housed and afforded reasonable means of recreation, and has to be transported between its places of employment and its places of residence and recreation, and due care has to be taken to provide for the health of the community. A Town Planning scheme should therefore adequately cover the following points:—

#### With Municipal Jurisdiction

(1.) Main thoroughfares have to be provided for the distribution of merchandise throughout the City and for the rapid and convenient transportation of the population between its places of business and its residences. This would consequently include street, suburban and interurban railway facilities.

(2.) Provision has to be made for the proper allocation to certain districts of the special character of either business or residential property, and these two main classes naturally imply an internal subdivision of business districts into commercial, financial and manufacturing (including both noxious and innocuous trades), and of residential property so as to distinguish between private residences and apartment and boarding houses.

(3.) Public buildings, both Governmental and Municipal, have to be conveniently located and, under whatever name it be called, the principle of a Civic Centre should be adopted.

(4.) The adoption of a proper system of the supply of public utilities, including water, light, power, heat and sewerage, as well as proper sanitary requirements in respect of buildings, including the negative requirements involved in an open space.

(5.) No one particular line of policy or legis-

lative provision is suggested to afford a solution of all the problems arising from the above considerations, but such a solution is to be found in the application of many expedients, and among those expedients the following may be listed:—

1st. A proper location of main highways and regulation of their width.

2nd. The prevention of congestion by regulating the height of buildings.

3rd. A system of zoning under which certain property is restricted to a certain purpose or purposes, or certain trades are prohibited within the zone.

4th. A check upon the undue or improper subdivision of land.

### Beyond Municipal Jurisdiction

In addition to these branches of Town Planning which are entirely within the range of your Corporate activities, there is another important branch, which lies beyond your Corporate jurisdiction but in the proper development of which you are intensely interested. This branch covers the question of harbour and shipping facilities and railway communication to connect with the harbour and with the warehouses and distributing centres of the City. While, as has been above premised, these matters are beyond your Executive power, it lies yet well within your range to endeavour to secure the co-ordination of all harbour and railway plans with any plan which you may devise for dealing with the matters which are within your jurisdiction, and it is perhaps not inappropriate to point out the weight which would be attached, by the responsible authorities and the interested corporations, to your opinions were they backed by a considered and well thought out plan of local development.

### Town Planning Progressive and Economical

At this point it is necessary to call attention to the fact that Town Planning is something which is utterly incapable of instantaneous realization but is, in its very nature, progressive and subject to alteration. The essence of Town Planning is that it should provide the best economic use of land and should guide the development of a growing city into the proper channels. It is obvious that this would not be accomplished by, for example, a permanent prohibition within a certain area of commercial structures, with the result that such area would form a block to the progress of business in the future. Such a scheme, therefore, should be designed on a large scale and with the most intelligent appreciation of the immediate needs and foresight into the anticipated future development of the locality, but at the same time the present should not be sacrificed to the future nor should the future be sacrificed to the present, but the needs of each should be borne in mind and the scheme should be perfected and developed on intelligent lines.

It must not be supposed that the adoption of a scheme means that a large expenditure of public money will be called for. On the contrary, the aim

is to avoid the waste of public money which results from the necessity of correcting former errors and omissions involving the duplication of expenditure, and by the exhibition of vision and a well regulated imagination to expend every dollar where it will provide the best and longest service.

### The Demand for Town Planning

It is thought that very little emphasis need be placed upon this branch of the subject, as your Body is no doubt cognizant of the demand from numerous individuals that the amenity of their homes should be preserved, and you are no doubt also impressed with the requirements of the population in the direction of apartments and boarding houses. The very existence, also, of your Memorialists shows that there is a realization of the desirability of Town Planning even among those who are not, perhaps, personally affected. Your attention, however, is further called to the Resolutions which have been presented by the following bodies, recommending the adoption of a Town Planning System. A copy of certain Resolutions is appended thereto.

The Vancouver Board of Fire Insurance Agents Assn.	
Trade	Architects Institute
Associated Boards of Trade	B. C. Land Surveyors
Rotary )	Professional Engineers of
Kiwanis )	B. C.
Lions ) Service Clubs	Woman's Forum
Gyro )	Daughters of the Empire
Trades & Labour Council	Women's Canadian Club
Real Estate Exchange	

### Necessity for Legislation

A little reflection upon the subject matter of Town Planning will no doubt impress upon your Honorable Body the fact that a very heavy duty and responsibility is imposed upon you by the conditions of this growing City of Vancouver. It will be at once observed that in the performance of your functions you can either make or mar the City of Vancouver. There is not a subject touched upon in the scope of a Town Planning scheme upon which your daily operations do not impinge, and we will not labour this point because we think that the next point to which we will refer is at the present juncture more important.

Let us assume that your Body is absolutely impressed with the desirability of Town Planning in all the branches above dealt with: it will yet be seen that your powers are not co-ordinate with your responsibilities, either as they exist or as they should exist. There are to be found scattered throughout the Statutes many provisions which bear upon the subject of the subdivision of land and Town Planning, but when critically examined they are found to be inadequate for the purpose for which they were intended and are also found to conflict internally or with other Statutes. In your own Corporate Act are certain provisions, including those in regard to zoning, but your Memorialists agree with the opinion expressed by your Legal Department that these are inadequate and ill-designed.

The further fact is developed that Town Planning must be an inter-municipal development and that the plans of one area must coincide with those of another, and a metropolitan area is deeply interested in the adequate planning of the suburbs. Another illustration of what might have been gained by the earlier introduction of a Town Planning system is furnished in the necessity which arose of having special legislation to deal with the sewage problems of Greater Vancouver. It is easy to realize the inestimable benefits that would have arisen if there had been in existence a body specially charged with anticipating the conditions out of which such a problem would arise, and we all know that similar problems will present themselves as the city grows. It is quite sufficient at present to mention the outstanding question of an abundant water supply for the area of Greater Vancouver.

It is accordingly self-evident that in order to function properly the body charged with the duty of planning the further development of the City of Vancouver must receive more adequate statutory powers, and it would be highly convenient that you as a Corporation should have a hand in shaping the legislation out of which this Town Planning system would develop.

#### Form of Legislation

There have been placed before the public and various leading bodies from time to time drafts of Town Planning Acts, and as is natural, while the principle of these Acts has been ratified, there are a great many differences of opinion as to the details, and it is not thought that any person responsible for these drafts has anything in the nature of a rooted objection to an alteration in details; in fact, such person would be the first to admit that the subject is so large that it should receive attention from all those whose daily occupations bring them into touch with the difficulties that lie in the way.

In order that the matter may, however, be in some concrete form before you, your Memorialists would suggest that any legislation should take the form of an Act in which there would be included the statutory provisions above referred to and, after mature consideration, the conclusion has been reached that the legislation should further take the form of an Act which should be capable of introduction into all municipalities and that in view of the changing personnel of the governing bodies of municipalities and of the great mass of detail which they have to deal with from day to day, it would be impossible for a Council to devote the concentrated and continuous attention to the preparation of a scheme which would have to be given if it were to be a success. Another consideration which has impressed itself upon your Memorialists is that no Act should be adopted which would impose large burdens upon an already highly-taxed community. The result of these considerations is that the framework of the Act should contemplate the appointment of a Commission, the majority of which should furnish their services gratuitously, but which should be bound together and rendered efficient by the inclusion of

professionally qualified members, who should be adequately remunerated, either from the fact of their being already in the employ of the Municipality, or from their being specifically employed for the purpose. The matter has not yet reached the stage when it is necessary to consider the personnel of such a Commission, but from the views and expressions of the bodies who have endorsed the principle, there is no doubt that a competent Commission could voluntarily be obtained.

#### Your Memorialists Therefore Pray as Follows:—

(1) That you as a corporation do place yourselves on record by resolution as in favour of a Town Planning Act.

(2) That your Corporation do instruct the professional officers in charge of the various departments concerned to devote sufficient time to the subject to enable them in collaboration to draft an Act which would adequately cover the subject of Town Planning, which draft would have the special advantage of coming from a well-instructed source.

(3) That when an Act is drafted your further efforts be directed to secure the co-operation of surrounding Municipalities in pressing for its enactment.

(4) That your Corporation do not hesitate to call upon your Memorialists for any assistance which they may be able to give and which will be readily and gladly rendered.

On behalf of The Vancouver Branch of the Town Planning Institute of Canada,

(Signed) G. L. THORNTON SHARP,  
President.

(Signed) J. W. ALLAN.  
J. ALEX. WALKER,  
Secretary.

#### RESOLUTION OF THE VANCOUVER BOARD OF TRADE

11th September, 1923.

“THAT the Board of Trade, realizing the importance of having City Planning Legislation passed to ensure the better development of our City and Province, hereby agrees to render every assistance in its power to secure the passing of a City Planning Act at the coming Session; and to advise the Associated Boards of Trade to assist in this effort.”

#### RESOLUTION of the ASSOCIATED BOARDS OF TRADE OF BRITISH COLUMBIA

November 15-17, 1923.

“RESOLVED THAT the Associated Boards of Trade of British Columbia endorses the Vancouver Board of Trade’s action in requesting that the Provincial Government at its present session to pass legislation which will provide for the principles of Town Planning, said Legislation to be at the option of each Municipality.”

**EXTRACT FROM LETTER FROM THE SECRETARY, VANCOUVER BOARD OF TRADE**

May 26, 1924.

"The Council of this Board, at its meeting held on Thursday last (May 22nd, 1924), reiterated its previous attitude with regard to Town Planning, and went on record in support of the action of the local Branch of the Town Planning Institute of Canada in requesting the Vancouver City Council to take the initiative in petitioning the Legislature to pass a Town Planning Act."

**RESOLUTION OF THE VANCOUVER REAL ESTATE EXCHANGE, LIMITED**

May 23, 1924.

"RESOLVED THAT, recognizing the urgency

of TOWN PLANNING and ZONING Legislation, the Vancouver Real Estate Exchange requests that the Vancouver City Council take immediate steps to secure such Legislation, and, further, that this Association offers its services in this matter at any time they may be required."

**RESOLUTION OF THE VANCOUVER FIRE INSURANCE AGENTS' ASSOCIATION**

November 16, 1923.

"RESOLVED THAT this Association, recognizing the urgent necessity of Zoning the City of Vancouver and surrounding Municipalities, hereby respectfully requests the Provincial Government to pass a Town Planning Act at this Session of the Legislature."

## **PROPOSED TOWN PLANNING ACT FOR BRITISH COLUMBIA**

**PRESENTED TO THE LEGISLATURE BY THE VANCOUVER BRANCH OF THE TOWN PLANNING INSTITUTE OF CANADA**

**BILL.**

No. ]

[1924

An Act relating to Urban and Rural Planning, and to provide for regulating the Use and Development of Land for Building Purposes.

WHEREAS it has been realized that large municipal expenditures have become necessary owing to the fortuitous development of urban centres, and that it is advisable to provide an organization whereby the natural growth of cities and towns may be planned in a systematic and orderly way, so that adequate means of communication for an increasing population may be provided and congestion avoided, and that economies may be effected in the industrial and business activities of the community, and so that the serviceability of business property and the amenity of residential districts may be preserved and real-estate values stabilized, and adequate areas may be provided for protecting the health of and providing recreation for the public :

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

*Short Title.*

1. This Act may be cited as the "City Planning Act."

*Interpretation.*

2. The word "city" shall include town or district, and in the local application of this Act the appropriate word shall be used.

*Central Bureau.*

3. There is hereby created and established a Central City Planning Bureau, consisting of six members, who shall be appointed by the Lieutenant-Governor in Council from among the permanent technical officers in the Civil Service, and of which Bureau the Inspector of Municipalities shall be a member and Secretary and executive officer. The Proceedings of the Bureau shall be in accordance with the provisions made by section 10 to govern the procedure of Planning Commissions.

4. The functions of this Bureau shall be:

- (1) To perform for unincorporated towns and villages and for unorganized districts the duties which are hereinafter allotted to City Planning Commissions:
- (2) To study the needs of all portions of the Province in respect of matters within the scope of this Act, to collect and disseminate information on the subject of city planning, and to co-ordinate the efforts of adjacent Commissions:
- (3) To act as a Board of Appeal from the decisions of a City Planning Commission as hereinafter provided, and, as is also hereinafter provided, to deal with appeals under any municipal zoning by-law:
- (4) To perform such other duties as may be imposed upon it by order or regulation of the Lieutenant-Governor in Council.

*Municipal Town Planning Commissions.*

5. Every municipality is hereby authorized and empowered to create a Commission to be known as the [“Vancouver” or “Victoria,” or as the case may be] Planning Commission.” Such Commission shall be so created by by-law and shall be constituted as follows: In the City of Vancouver, of four ex-officio and nine appointed members; in the City of Victoria, of three ex-officio and nine appointed members; in other cities having a population by the last Dominion census of over five thousand, of three ex-officio and six appointed members; and in all other municipalities, of three ex-officio and three appointed members. The ex-officio members shall be the Mayor or Reeve, the Chairman of the Parks Board, and the Chairman of the School Board, and in the City of Vancouver shall also include the Chairman of the Vancouver and Districts Joint Sewerage and Drainage Board. The appointed members shall be appointed by the Mayor or Reeve subject to the approval of the Council, and of those to be first appointed one-third shall be nominated by the Mayor or Reeve and appointed for three years, one-third for two years, and one-third for one year; and in each succeeding year the vacancies of those whose term of office expires shall be filled for a term of three years. All appointments to fill casual vacancies shall be for the unexpired term. No person shall be appointed who holds any municipal office in the city.

6. The Commissioners shall hold office until their successors are appointed, and shall serve gratuitously, but allowances for actual expenses in connection with duties performed may be made.

7. The City Council may set apart in their annual estimates such sum of money as the Council deems necessary to cover the expenses of the Commission for the current year.

8. It shall be the duty of all city departments and officers to render assistance to the Planning Commission in the way of information, advice, and co-operation, and to refer to the Planning Commission, before taking action thereon, matters coming within the purview of that body, to the end that there shall be a proper co-ordination of effort in regard to all public improvements.

9. The Planning Commission shall have power to appoint a Secretary, and to appoint, employ, and control engineers, surveyors, architects, and such other expert and office and field assistants as it finds necessary; but the expenditures of the Commission for all purposes shall be within the sum appropriated by the City Council for the expenses of the Commission.

10. The Commission shall be presided over by a Chairman to be chosen by itself annually from among the appointed members, and shall adopt its own rules of procedure, including the fixing of a quorum, and may from time to time vary such rules by the vote of a majority of the whole Commission. The Commission may delegate any of its powers or investigations to a sub-committee, including power to act, and the report and acts of a sub-committee

within the powers delegated to it shall be of the same effect as if the whole Commission had acted thereon. The Commission shall cause proper record to be kept of its proceedings.

11. It shall be the duty of the Planning Commission to collect data and to keep itself informed as to the best practices and the advancement made generally in the art of city planning, to the end that it may be qualified to act in matters that affect the present and future movement of traffic, the convenience, the safety of persons and property, the health, the recreation, and the general welfare and amenity and all other needs of the municipality which may be, and so far as they are, dependent upon a city plan.

12. The Planning Commission shall have power, and it shall be its duty, subject to the provisions hereinafter set out:—

- (1) To disseminate information by means of public meetings, lectures, and propaganda upon the subject of the city plan, and to arouse public interest in and obtain an expression of the views of the citizens upon the problems which come before the Commission, and secure the co-operation of the education authorities and of public and semi-public bodies and associations in the formation and expression of a well-grounded and instructed public opinion:
- (2) To prepare a comprehensive plan or set of plans for the future physical development and improvement of the city in a systematic and orderly manner, based primarily upon public utility, convenience, and general welfare, which plan shall, when approved by the Council, be known and designated as the “official city plan”:
- (3) From time to time, as development progresses and changed conditions demand, to make additions and extensions to and alterations in such official city plan:
- (4) To prepare and recommend to the City Council specific plans for public improvements consistent with such official city plan:
- (5) To consider plans of subdivision of land tendered for approval, as provided by Statute, to the approving officer, which approval shall not be given until the plans have been passed by the Planning Commission, and to consider and report to the City Council upon applications under the “Plans Cancellation Act” or proceedings under the “Special Surveys Act”:
- (6) To prepare plans for the development of harbour and railway and rapid-transit and street railway facilities, with a view to the correlation of such development with the city plan, and to recommend plans so prepared to the City Council and to any Railway Board or public authority having jurisdiction in the matter, and to any railway or other company concerned therewith,

and to use all lawful measures to secure the adoption of such plans and the due co-ordination of terminal, transportation, and other facilities of commerce and traffic within and about the city:

- (7.) To prepare and recommend to the City Council the boundaries of the use, height, and bulk and area districts which the Council is hereinafter authorized to create and appropriate regulations and restrictions to be enforced therein, and to consider, report on, and make recommendations to the Council in regard to any proposed alterations in said boundaries or regulations:
- (8.) To consider and report to the Council upon any matters dealing with the physical development of the city which may be referred to it by the City Council.

*Municipal Action upon Plan.*

13. Upon completion of the city plan or set of plans, or of one or more of the plans comprising such set, the Commission shall cause the same to be deposited in duplicate with the City Clerk for the information and action of the City Council. There may accompany such deposit a report by the Commission and such explanatory memoranda and specifications or books of reference as may serve to elucidate and clearly define the scope and objects of the plan, and such report and accompanying documents shall be read with and form part of the plan.

14. The City Council shall take into consideration the said plan and may refer the same back to the Commission for explanations or modifications, and when found satisfactory the plan shall be approved by resolution of the Council. Upon such approval the original and duplicate plans shall be impressed with the seal of the city, dated and signed by the City Clerk, and the duplicates shall be returned to the Commission and kept on record, and a copy of the plan shall be kept open for public inspection under appropriate conditions, and copies shall be furnished the School Board, the Parks Board, and all interested city departments. The procedure set out in this and the preceding section shall apply to any further plan forming one of a set of plans or any amendments to the official city plan, and all the plans comprising the set, together with all amendments made thereto and approved, shall be read together and constitute the official city plan.

15. The approval of the Council of the city plan shall not commit the City Council to undertake any of the projects therein suggested or outlined, but the effect of the plan shall be to prevent the undertaking by the Council of any public improvements within the scope of the plan which conflict therewith. If the Council proposes to proceed with any such improvements or to acquire a site therefor, the location and design of the same shall be first submitted to the Planning Commission for approval.

In case of disapproval the Commission shall communicate its reasons to the City Council, and the majority vote of all the members of the City Council shall be sufficient to overrule such disapproval. If the reasons for disapproval are not given to the City Council within thirty days after the plans for such improvements are submitted to the Planning Commission, it shall be deemed to have approved the said plans.

16. (1.) The phrase "public improvements" as used in the preceding section shall mean the opening, widening, enlarging, closing, or diverting of streets, lanes, or squares; the acquisition and development of parks, boulevards, parkways, and playgrounds; the erection of bridges, viaducts, or causeways, and of public buildings or buildings for the accommodation of any of the city departments, and of public schools; and any other improvements or works of a public nature which may for this purpose be specified or described as "public improvements" in a by-law of the Council, and shall include privately owned improvements proposed to be constructed or erected on city property and transit lines and other public utilities in so far as a franchise or a permit for the construction thereof is required to be obtained from the city.

(2.) The City Council may in the by-law creating the Planning Commission, or by amending by-law, from time to time determine what works other than herein specifically named shall be deemed public improvements, and may by any such by-law make and prescribe, or authorize any sub-committee of the Council or officer of a department to make and prescribe, regulations for effecting due co-ordination between city departments and the Commission, to the end that the Commission on the one hand may have a full opportunity of performing its functions, and especially dealing with the general aspects of the matters under consideration so far as they affect or are affected by the city plan, and on the other hand that the due execution and dispatch of city business may not be hampered by the necessity of referring matters of detail to the Commission.

*Action after Adoption of Plan.*

17. After the adoption of an official city plan the Commission shall from time to time make recommendations to the Council in regard to any project shown upon such plan which it considers should be immediately proceeded with, and in such recommendations may enter into any necessary details, including an estimate of the cost and a suggestion as to how such cost is to be met and whether at the general expense of the city or as a local improvement. The Commission shall not be limited in its recommendations to those projects which it is of the opinion can be immediately financed, but in making its recommendations the Commission shall clearly show the order in which it considers the projects should be taken up and carried to completion. Upon receipt of a recommendation from the Commission, it shall be the duty of the city departments concerned to report thereon to the City Council.

18. The Commission shall in each year, not later than one month before the annual election, make to the Council a recommendation in regard to the projects already recommended by the Commission, specifying the projects for the carrying out of which during the ensuing year it is of the opinion that provision should be made. The Commission shall place first upon its list the item which it considers most urgent and the remaining items shall appear in a corresponding order.

19. The Council shall take into consideration the recommendations of the Commission, and may cause to be prepared and submitted to the electors at the next annual election a by-law or by-laws for carrying out the projects recommended by the Commission, or such of them as have been approved by the Council. When the said by-law or by-laws are published according to Statute, the same shall be preceded by a note stating that they have been recommended by the Planning Commission and giving the order in which each such by-law appears in the Commission's recommendation. On the ballot-paper prepared for use in voting upon by-laws there shall appear after the title of the by-law the following note: "Recommended by the Planning Commission as Item No. in its recommendations."

20. Where any project is shown upon an official city plan it may be proceeded with either by the municipality at large or as a local improvement either on the initiative or petition plan. If a petition is received, or if the Council desires to proceed on the initiative plan in regard to a project which the Commission has not reached in its recommendations, the matter shall be referred to the Commission, which shall duly make a report thereon, together with its recommendations. After such report action may be taken under the local improvement provisions of the city charter.

21. The Council may enter into agreements with the owners of land for the purpose of carrying a project shown upon the official city plan into effect, and in any such agreement may assume a proportion of not more than two-thirds of the total cost of such local improvement. Where any such agreement imposes upon the Council a liability for expenditure, the agreement shall state whether or not the Council proposes to defray such expenditure or any part thereof by means of a loan. Where the Council so proposes the agreement shall not become operative until the same has been approved by the electors as a money by-law.

22. The Commission shall in each year, not later than one month before the annual election, make a report to the City Council of its operations since the last annual report, and shall in such report outline its programme of proposed development and indicate the extent to which progress has been made in regard to these projects. The Commission may make recommendations founded upon experience as to the improvement of the procedure under which its relations with the Council are governed and as to any general legislation which might facilitate its operations and be of public advantage.

23. (1). Where a project shown upon an official city plan is in course of being undertaken the Commission may recommend that, in addition to any lands the acquisition of which is essential to carrying out the project, there be acquired other adjacent or neighbouring lands. The lands which may be covered by such recommendation may include:—

- (a.) The remnants of parcels, portions of which are essential to carrying out the project:
- (b.) Any lands which may be injuriously affected by the project:
- (c.) Any lands which, if allowed to be built upon without restriction, might become the site of buildings or structures which would prejudicially affect the full enjoyment of any building forming part of the project or the architectural effect thereof:
- (d.) Any lands which the Commission is of the opinion could be conveniently and profitably resubdivided or rearranged and developed as part of the project.

(2.) Where such recommendation is made the City Council shall have the same right to expropriate the excess lands included in the recommendation as it has to expropriate the lands immediately necessary for the carrying-out of the project.

(3.) After the carrying-out of the project the city may resubdivide, rearrange, and deal with the said lands as if it were a private owner, and may by by-law dispose of the same on such terms and subject to such building and other restrictions or easements as the City Council deems advisable.

(4.) In lieu of acquiring title to any such lands the City Council may by agreement with the owners cause to be imposed upon such lands or to be created such building restrictions or easements as might have been created if the city had acquired the title.

(5.) Any expenses incurred in acquiring such excess lands shall be met as part of the project, and the proceeds of any sale or other disposition shall be applied in reduction of the cost of carrying out the project.

#### *Building-lines in Aid of Street-widening.*

24. Where the official city plan provides for the widening of a highway, the Council may by by-law establish a building-line on the highway to conform with the project as shown on said official city plan. Such line may be established on one or both sides of any street for the required length. The by-law establishing such line shall properly name or describe the street and the part or parts thereof to which said line shall apply. After the establishment of any such line no building or other structure shall be erected and no existing building reconstructed or repaired to the extent of more than seventy-five per cent of its value, and no building or other structure shall be re-erected beyond the line so established, except subject to the rights of the city acquired under any such building-line by-law.

25 (1). Upon the final passage of such by-law the city shall be conclusively held to have taken, as from the date of such passage, an easement of way over all lands lying between such building-line and

the highway upon which the same is established, and the owners of such lands shall thereupon be entitled to all the benefits accruing to owners of lands expropriated by the city. No notice of the taking of such easement to the owner of any property affected thereby shall be required other than the passage of a by-law and the publication thereof in

successive issues of a newspaper published or circulating in the city. It shall, however, be the duty of the Assessor, and he is hereby directed, to insert in the notices of assessment given by him next after the passage of any such by-law, by the description of the property in such notices, the words "Subject to building-line. See foot-note"; and there shall be a foot-note as follows: "The above property is subject to building-line established by By-law No.

, dated , and passed under section 24 of the 'City Planning Act'"; and the same note and foot-note shall be inserted by the City Collector or City Treasurer in the tax statement based upon such first assessment.

(2.) Such by-law shall also provide that at a future time to be therein specified, not later than

years after the passage of such by-law, the city shall widen the highway to the line established in such by-law; but between the time of the passage of such by-law and the time fixed therein at which the highway shall be widened to such a line the owners of the lands over which the city has acquired the easement aforesaid shall have the right to make any use of such land not inconsistent with the right of such city under its easement, or not inconsistent with the provisions of this Act, including the right to maintain upon such land any building, structure, or appurtenance existing thereon at the time of the passage of such by-law.

26. The charter provisions of the city, whether under the "Municipal Act" or under special Act, shall govern the right to compensation and the time for the limitation of any action therefor.

27. The measure of damage for the taking of such easement under any such by-law shall be the difference between the value of the land at the time of the taking without the easement and the value of the land at the time of the taking, subject to the easement of the city acquiring it under the by-law, such latter value being based upon the assumption that the highway will not be widened until the date specified therefor in the by-law. When the damages are so ascertained they shall be payable (at the option of the city) in as many equal annual instalments as there are years to run before the street is widened, and with each instalment of damages after the first there shall be paid interest at the rate of six per cent per annum upon the unpaid balance. The right to damages shall run with the land and may not be severed therefrom, and consequently the right shall cease when the street is widened and the title to the necessary land acquired. Nothing herein provided shall be held to give any city passing a by-law under the provisions hereof any right, title, or interest in or to any building or improvement now or hereafter erected on any land over which the city acquires the easement hereinbefore

provided for, or to the use or possession of any land within the line or lines so established, until the acquisition of the land as hereinafter provided for.

28. At the end of the period designated in such by-law the city passing it shall proceed to widen the street named therein, and to that end shall thereupon proceed to acquire by purchase, expropriation, or otherwise the land necessary to be taken for such widening, and the owner thereof shall be entitled to such damages as he may then be entitled to under the law where private property is taken for public use. Such widening and improving shall be done as a local improvement or under any law then existing relating to the widening and improving of any street in any such city, and the cost thereof shall be borne in the manner then provided by law.

29. Any damages for the easement taken may be paid by the city out of its general revenue or out of any special fund which may be provided for that purpose.

*Provisions as to Zoning—Districts and Regulations.*

30. The Council of every municipality having a Planning Commission may by by-law create or divide the city into districts, within some of which it shall be lawful and within others of which it shall be unlawful, to correct, construct, alter, reconstruct, repair, or maintain certain buildings, or to carry on certain trades or callings, or within which the height and bulk of future buildings shall be limited.

31. The Council may by by-law regulate, restrict, and segregate the location of industries, the several classes of business, trades, or callings, the location of apartment or tenement houses, club-houses, group residences, two-family dwellings, single-family dwellings, and the several classes of public and semi-public buildings, and the location of buildings or property designed for specified uses, and may divide the city into districts of such number, shape, and area as the Council may deem best suited to carry out the purposes of this Act. For each such district regulations may be imposed designating the class of use that shall be excluded or subjected to special regulations, and designating the uses for which buildings may not be erected or altered, or designating the class of use which only shall be permitted. Such regulations shall be designed to promote the public health, safety, convenience, and general welfare. The Council shall give reasonable consideration, among other things, to the character of the district, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development in accord with a well-considered plan.

32. The Council may by by-law place reasonable regulations and limitations upon the height and bulk of buildings hereafter erected, altered, reconstructed, or repaired, and prescribe, regulate, and determine the area of yards, courts, and other open spaces, having due regard to the nature of the use and occupancy in such case. The Council may divide the city into districts of such number, shape, and area as the Council may deem best suited to

carry out the purpose of this Act. The regulations as to the height and bulk of buildings and the area of yards, courts, and other open spaces shall be uniform for each class of building throughout each district. The regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers, to prevent the overcrowding of land, and to promote the public health and welfare, to preserve the amenity of residential districts, and to secure provision for adequate light, air, and reasonable access. The Council shall pay reasonable regard to the character of buildings now erected in each district, the value of the land, and the use to which it may be put, to the end that such regulations may promote public health, safety, and welfare.

33. Before passing a by-law under sections 30, 31, and 32 hereof, the Council shall require the Planning Commission to recommend the boundaries or districts and appropriate regulations and restrictions to be enforced therein. Such Commission shall proceed upon the principles laid down for the guidance of the Council, and shall make a tentative report and hold public hearing thereon, at such times and places and upon such notice as the Council shall require, before submitting its final report. The Council shall not hereafter determine the boundaries of any district nor impose any regulations until after the final report of such City Planning Commission is filed with the City Clerk.

34. Upon receiving such final report the Council shall afford persons particularly interested, and the general public, an opportunity to be heard at a time and place to be specified in a notice of hearing to be published not less than three times in a daily newspaper. The first of such insertions shall appear not less than one week and not more than ten days before the date fixed for the meeting, and the last of such insertions shall appear not less than three days before such date. If no daily paper is published in the city the notice shall be published in a weekly newspaper for at least one issue on a day not more than one week and not less than two days before the date fixed for the meeting.

35. In the interval between the coming into force of this Act and the passage of a zoning by-law hereunder, the Council may authorize its proper officer to and may itself refuse a building permit for any building when such officer is of the opinion that the construction of the building in question might interfere with the work of the Planning Commission, and in case of a refusal hereunder the application for a permit shall be referred to the Planning Commission for report, and such report may recommend the refusal or impose conditions upon the granting of the application as may appear to the Commission in the public interest, and further action in respect thereof shall accord with such report.

#### *Amendment of Regulations.*

36. After the final passage of the by-law creating districts and providing regulations, the same

shall not be subject to alteration, amendment, or repeal save in accordance with the provisions hereinafter contained.

37. Any person desiring to secure the amendment, alteration, or repeal of any by-law shall make application therefor to the City Council or the Planning Commission. If application is made to the City Council, the same shall be referred to the Planning Commission, which shall consider the same, and may hold such public hearings and make such investigations as is directed in regard to the preparation and recommendation of the original by-law, and shall make its report to the City Council.

38. (1.) Upon receipt of the report of the Planning Commission upon a suggested amendment, the Council shall give notice of any amendment, alteration, or repeal recommended by the Planning Commission by publishing such notice in the manner provided in section 34 hereof. Such notice shall state the time and place, not earlier than ten days from the last date of such publication, at which the Council shall meet to hear remonstrances or protests against the making of such amendment, alteration, or repeal.

(2.) At the time and place thus appointed the Council shall meet and all persons whose property will be affected by such amendment, alteration, or repeal may appear in person or by attorney or by petition, and protest against making of such amendment, alteration, or repeal, and after hearing such protests (if any) the Council may confirm, modify, or rescind such by-law in whole or in part.

(3.) If, however, a protest against such amendment, alteration, or repeal be presented in writing to the City Clerk within ten days from date of last publication, duly signed and acknowledged by the owners of twenty per cent or more of any frontage proposed to be altered, or by the owners of twenty per cent of the frontage immediately in the rear thereof, or by the owners of twenty per cent of the frontage directly opposite the frontage proposed to be altered, such amendment, alteration, or repeal shall not be passed except by a four-fifths vote of the City Council.

39. Wherever the provisions of any by-law or regulation adopted by the Council under the provisions of this Act impose requirements for lower height of buildings, or a less percentage of a lot that may be occupied, or require wider or larger courts or deeper yards than are imposed or required by existing provision of Statute or by-law, the provision of this Act shall govern. Where, however, the provisions of the building code or other by-law or regulation of any municipality impose requirements for lower height of buildings, or less percentage of lot that may be occupied, or require wider or larger courts or deeper yards than are required by any by-law or regulation which may be adopted by the Council under the provisions of this Act, the provisions of said building code or other by-law or regulation shall govern.

40. (1.) The lawful use of premises existing at the time of adoption of a by-law under the provi-

sions of this Act, although such use does not conform to the provisions of such by-law, may be continued; but if such non-conforming use is discontinued any future use of said premises shall be in conformity with the provisions of by-laws and regulations adopted under the authority of this Act.

(2.) The lawful use of a building existing at the time of adoption of a by-law under the provisions of this Act, although such use does not conform to the provisions of such by-law, may be extended throughout the building, provided no structural alterations, except those required by Statute or by-law, are made therein.

(3.) Where no structural alterations are made in a building of a non-conforming use, such use may be changed to a use of a similar or higher classification, according to the provisions of by-laws and regulations adopted under the authority of this Act.

**41.** (1.) Appeal shall lie in the following cases to the City Planning Bureau:—

- (a) By any person who is dissatisfied with the decision of any official charged with the enforcement of a by-law passed under authority of this Act;
- (b.) By any person desiring to obtain the benefit of any exception contained in the by-law;
- (c.) By any person claiming that owing to special conditions the literal enforcement of the by-law would result in unnecessary hardship;
- (d.) In any other cases where provision for appeal is made by the by-law.

(2.) In considering appeals the Bureau shall adhere to the spirit of the by-law, but may make such relaxations as special cases call for, and endeavour to see that substantial justice is done and that the interests of an individual are not unduly or unnecessarily sacrificed for the benefit of the community.

(3.) The by-law shall provide for procedure in appeals to the City Planning Bureau.

(4.) No appeal shall lie from the decision of the City Planning Bureau.

**42.** Property shall not be deemed to be injuriously affected by reason of the passing of a by-law under the provisions of sections 30, 31, and 32 hereof.

#### *Co-operation between Commissions.*

**43.** Whenever a city in which a Planning Commission has been constituted has contiguous to its borders one or more municipalities also possessing a Planning Commission, it shall be competent for such Commissions to hold joint sessions for the consideration of any problems which may affect them jointly. Any conclusion reached at any such joint session shall receive the careful consideration of each Commission affected, but the liberty of action of each Commission and its individual responsibility shall not be restricted by the decision of the joint body, save to the extent that in making a report or recommendation to the Council upon any subject dealt with at the joint session, the Planning Commission shall also report the recommendation of the joint session, and if its own report differs therefrom shall indicate the reasons therefor.

## A NEW NAME FOR TOWN PLANNING

### Mr. Hamlet Philpot to the Editor

The Science of Environment—a finger post that points, as we hope, to at least one path leading out of "The Age of Confusion"—needs, as you say in your June issue, a precise name.

This name must be easily mouthed and philologically correct; the length of the vowel must be fool-proof, and the idea conveyed must be clear.

One or more of these *sine quibus non* rule out such concoctions as "peri-biology", "peri-ontology" or even "peri-nomies".

May I suggest EUTHETICS as standing the above tests? The word "Euthenics", which you quote as fresh from the mint, does not, for these reasons:—

(1) The E is a long Greek *eta* and not a short *epsilon* as in eugenics", and, if once in use, no power on earth outside a classroom could get it properly pronounced. The analogy of "eugenics" would be too strong.

(2) *Euthenia* (long E) means "abundance" or "prosperity" and euthenics must mean the science of abundance or prosperity. Such a science would be the name for the whole of which the science of environment would be one of many parts, most of them embraced in 'Economics'.

Euthetics on the other hand is a correct derivative from the Greek verb meaning to "arrange in a

right way" and would connote the science of proper arrangement or, to use your own term, 'scientific and orderly disposition'. The correct short E fittingly harmonises with the E of the sister science, eugenics.

Spare the English language at least one false coin and kill Euthenics.

### Mr. John Nolen to Mr. Noulan Cauchon

I noticed with interest a reference to the word "Euthenics" in a recent number of *The Journal of the Town Planning Institute*. It seems to me there is much to be said in its favor.

If you have not seen Mrs. Ellen H. Richards' book, the following will interest you.

*Eutheneo* (eu, well; the, root of *tithemi*, to cause). To be in a flourishing state, to abound in, to prosper.—Demosthenes. To be strong or vigorous.—Herodotus. To be vigorous in body. Aristotle.

*Euthenia*. Good state of the body: prosperity, good fortune, abundance.—Herodotus."

Her volume is an excellent one, in so far as it goes. It deals, however, primarily with the subject from a scientific point of view, and mainly with the problem of health.

### Mr. Noulan Cauchon to Mr. John Nolen

Mrs. Richards' effort is a very fine one and her

adoption of the word "Euthenics" a very happy one. Her view of sanitary science however does not seem to have embraced city planning and zoning as the fundamental Health Act.

The word "Euthenics" seems none too broad—it is broader than implied by Mrs. E. H. R. in her book. It appeals to me as covering Ethics, Economics and Art; the sum of human welfare in so far as Environment is responsible. We as planners can claim that scope of effort. There is just the question whether the word "controllable" need be a limiting restriction to the Science of Environment. Mrs. R. was emphasizing the sanitarian's measures against preventable diseases whilst our effort is the greater one of an ultimate social regeneration that will obviate the fundamental causes of disintegration.

That is a happy suggestion of yours that we could discuss "Euthenics" for adoption at the spring meeting in New York.

#### Mr. John Nolen to Mr. Noulan Cauchon.

Your further comment on town planning nomenclature interests me. It strikes me that there would be great gain from having human organic progress more or less definitely organized under two headings like "Euthenics" and "Eugenics," whatever the proper terms are. I am sure that our City Planning Institute would co-operate if you brought the matter before them. In fact it might come up to some advantage at the International meeting on Town Planning to be held in New York next spring.

## NEWS AND NOTES

### Regina Town Planning Association—Report of President A. C. Garner

The Regina Town Planning Association was really formed about 1912 by a group of prominent citizens interested in this movement. The Association aroused a good deal of interest in this matter at that time and I think were, indirectly at least, responsible for the plans drafted by Mr. Mawson. In addition the Association kept in touch with the movement both in Canada and the United States, and, I think, in 1913, an officer of the Association was sent to Chicago as a delegate to a big Town Planning Convention being held here. As a result of the War this organization, like many others, lapsed, but in the autumn of 1922 the Regina Board of Trade, realising the desirability of an organization such as this, urged that the citizens take an interest in the matter and arranged for preliminary meetings in this connection, the result being that about two months later the Association was revived, retaining the same name, namely,—The Regina Town Planning Association. On the executive of this Association were representatives of every organization of the city working in community interests, and in addition all of the professions were well represented.

During the winter of 1922-23 the situation was reviewed, and as a result memorials were officially presented to the City Council, pointing out the desirability of Town Planning, and urging consideration of the adoption of either a town planning scheme or town planning by-laws or both. During the following winter 1923-24 the Association again devoted its activities to the main points which first required attention, and as a result it seemed desirable that a Town Planning Board should be created in accordance with the provisions contained in the Town Planning Act of Saskatchewan, and that the first step in connection with creation of a Board would be consideration of Town Planning by-laws, the scheme or schemes to follow later.

The Association, through a special committee composed of members of the profession, leading citizens, business men, etc., fully considered and drafted a set of Town Planning by-laws in conformity with the Town Planning Act, and in March 1924 a memorial was presented to the City Council, recommending the appointment of a Town Planning Board by the Council and consideration of the set of Town Planning by-laws. This memorial was favorably received and fully considered by the City Council, and as a result the Town Planning Board was created. Late in 1924 this Board held its first meeting when the draft by-laws prepared by the Association was considered and it was ordered that copies of this draft be submitted to every department of the City for consideration in conjunction with the by-laws in existence, the head of each department being asked to submit his views, together with suggestions to the City Commissioners, who in turn were asked to lay all this material before the Board when received. It is anticipated that this work is about completed and that the Board will meet very shortly to consider the material submitted, as above outlined.

After the first meeting of the Board I contemplate calling the annual meeting of the Association, when the work of the Association to date will be reviewed and the necessary steps will be taken to presume to forward the work.

Regarding the Mawson plans, these have been considered in connection with the work in hand from time to time, and I am under the impression that after the present situation is taken care of that these plans will probably be carefully examined with a view to their use in future development and the introduction of such modifications as may be required, so that there is ample work ahead, particularly for the Town Planning Board and the Association, and along progressive lines.

I feel assured that the citizens as a whole are behind this movement and will continue to support it so long as it is kept within practical lines.

### Montreal City Council Still Considering

"One of the questions inscribed on the agenda is the proposed establishment of the long-deferred town-planning commission. What is new since former debates on that matter is the list of petitions submitted by important and various public bodies of Montreal in support of the establishment of such a commission.

"Ald. Gareau is one of the chief supporters of the project that Montreal should prepare now for future development as regards streets, parks and other improvements, and especially as regards the traffic requirements of the city. If, on the other hand, not much enthusiasm has even been noted in municipal circles about the need of such a commission, indications are not wanting that it is slowly gaining ground, especially since the construction of the bridge to the South Shore has passed from a discussion to a certainty. The strength and the number of the petitions are such that the council cannot long, it is believed, defer definite action on this important question."—Montreal *Gazette*.

The disease of fortuitous city building is illustrated no more effectively in Canada than in Montreal, where the crime waves that inevitably follow uncontrolled slum development are ever recurring, in spite of the multitude of benevolent societies carrying on heart-breaking efforts to deal with the results of bad city planning. Time and again there are newspaper reports of elaborate city council schemes for the "embellishment" of Montreal and nothing is done. It is high time the word "embellishment" were cut out of the Montreal conception of town planning and some more up-to-date idea generated of the purpose of the movement. Town planning is the science of city development as a whole—industrial, commercial, recreational, residential and if these elements are considered in due relation to the life of the people "embellishment" will follow and that not in isolated spots but in the city as a whole. Meanwhile Montreal is calling itself "Le Paris de l'Amérique". Say a thing often enough and you can come to believe it.

The infant mortality rate of Montreal is as high as the worst districts of the slums of England and is three times that of London and Toronto.

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### Slums

"As certainly as Nature gives the poor child its chance of a good life, so certainly do the circumstances of slum environment rob it forthwith of its birthright—it is not uncommon to find more than half the children of three years of age hanging on to life with marks of disease and undergrowth firmly implanted on their tender frames. Yet, practically, none of this is inherited in the true sense; it is the victory of evil human devices in their endeavour to cheat Nature of her own. If ever there was a mission in the world worthy of the most strenuous service, it is to wrest back this victory, be it out of pity for suffering children or for the very welfare and existence of the nation.—Dr. H. M. Eicholz, Inspector of Schools, London.

### International Conference

The next International Town and Regional Planning Conference will be held in New York, April 20-25. The principal subjects for discussion will be:

- (a) Decentralization within Regions;
- (b) Arterial Roads;
- (c) Planning and Plotting of Building Sites;
- (d) Zoning;
- (e) Waterways and Water Fronts.

The conference has been arranged by the International Federation for Town and Country Planning and Garden Cities, of which Mr. Ebenezer Howard, founder of the English Garden City movement is president, with vice-presidents Sir John Sulman, K.B.E., Australia; Senator Vinck, Belgium; J. C. Jensen, M.P., Denmark; Professor Eliel Saarinen, Finland; Louis Bonnier, France; Viscount Astor, Great Britain; Dr. H. P. Berlage, Holland; Ch. Gierloff, Norway; Salvador Crespo, Spain; Baron Dr. Palmstierna, Sweden; F. A. Delano, United States.

It is expected the members of the Institute will receive individually an invitation to this important Conference and that Mr. Noulan Cauchon, President of the Institute, will attend as Canadian representative.

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### The Earth is the Lord's

"There was in my neighborhood a piece of land about ten acres in extent owned by a man known as Lord Newlands. That land had stood in the valuation roll of the city for 40 years as having no value..... We thought there would be no difficulty at all about inducing Lord Newlands..... to put this waste land at the disposal of the local authorities..... Immediately we wanted the land, Lord Newlands said: 'You can have it on condition that you pay me £714 per acre.' We had to pay it. Then we only got a sort of backward portion of it. When we wanted a front portion facing the main road, Lord Newlands wanted for that £2,500 an acre."—Mr. J. Wheatley, late British Minister of Health.

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### New York Regional Plan

Elaborate monographs have been published by the New York Regional Plan Committee on the Industrial conditions of the region which demonstrate vividly how far the planning of towns and regions has moved from the original American idea that the whole thing was summed up in the term "City Beautiful."

Mr. M. C. Mills deals with "The Wood Industries"; Mr. F. M. Williams with "The Food Manufacturing Industries"; Dr. V. W. Lanfear with "the Metal Industry" and Dr. Mabel Newcomer with "The Chemical Industry". Each monograph is a quarto book of 50 or 60 pages and contains, in addition to the full data on the various industries concerned, elaborate maps showing their distribution in the New York Region.

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